

## **REMARKS**

In an Office Action dated March 9, 2011, claims 1-25 were rejected. Herein, claims 1, 3-7, 9, 15, 16, 22, and 23 have been amended, and new claims 26-38 have been added. No new matter has been added. Additionally, claims 2 and 17-19 have been cancelled without prejudice or disclaimer to the subject matter therein. Applicants respectfully request further examination and reconsideration in view of the following remarks.

### **I. Claim Rejections under 35 U.S.C. 112**

#### **1. Claims 7-15**

Claims 7-15 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner has taken the position that while claims 7-15 invoke 35 U.S.C. 112, sixth paragraph, based on the use of “units” limitations, the written description fails to clearly link or associate the disclosed structure, material, or acts to the claimed function such that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function. Applicants respectfully traverse the above-noted rejection in view of the following.

Applicants note that the Examiner appears to take the position claim 7-15 contain computer-implemented means-plus function claim limitations.

In this regard, it is noted that under current USPTO guidelines for when examining computer-implemented functional claims under 35 U.S.C. 112, examiners are required to determine whether the specification discloses a computer and an algorithm that perform the claimed function in sufficient detail. Additionally, it is noted that under the current USPTO guidelines, the algorithm may be disclosed using a flowchart.

In the instant rejection of claim 7-15, the Examiner appears to take the position that no corresponding algorithm is disclosed in the specification. In this regard, Applicants note that the Examiner appears not to have considered the disclosure in FIGs 14-17, which provide a flowchart detailing setting a warning/normal mode in accordance with present invention.

Additionally, it is noted that pages 32 and 33 of the specification as originally filed indicate that a vehicle control device is a computer system, and that the vehicle control device (e.g., an object control device) realizes a portion of its functions as a result of a microprocessor operated in accordance with a computer program.

In view of the above, Applicants respectfully submit that claims 7-15 meet current USPTO guidelines for computer-implemented functional claims under 35 U.S.C. 112. Accordingly, it is respectfully requested that the rejection of claims 7-15 under 35 U.S.C. 112, second paragraph, be withdrawn.

### 2. New Claim 27

Applicants note that new claim 27 meets current USPTO guidelines for computer-implemented functional claims under 35 U.S.C. 112 for reasons similar to those discussed above.

### 3. New Claims 30-38

Applicants note that new claims 30-38 have been added as an alternate response to the rejection of claims 7-15 under 35 U.S.C. 112, second paragraph. In this regard, it is noted that claims 30-38 generally correspond to the subject matter of claims 7-15; however, it is noted that claims 30-38 and claims 7-15 differ in that claims 30-38 recite (i) that the object control device comprises a processor and (ii) that each of the claims units are included in the processor. As a result, Applicants respectfully submit that each of the claimed units of claims 30-38 is limited by structure. Accordingly, claims 30-38 do not invoke 35 U.S.C. 112, sixth paragraph, and as such, the rejection of claims 7-15 under 35 U.S.C. 112, second paragraph, is inapplicable to claims 30-38.

## **II. Claim Rejections under 35 U.S.C. 103**

Claims 1-16, 18, 19, 22, and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino et al. (US 6,337,621, hereafter “Ogino”) in view of Shizu (JP 2002-300637), and further in view of Rigmaiden (US 6,525,653). Applicants respectfully request reconsideration of the above-noted rejection in view of the following.

Claim 1 recites:

(A) that an object control device includes (i) a mode setting unit operable to set a warning mode on receipt of a warning mode instruction, (ii) an electronic key generating unit operable to generate a first electronic key on receipt of the warning mode instruction, and (iii) a judging unit operable to judge whether the first electronic key generated by the electronic key generating unit and a received second electronic key match; and

(B) that the mode setting unit changes, when the first electronic key and the second electronic key match, from the warning mode to a normal mode.

Applicants respectfully submit that the above-noted features of claim 1 are not disclosed, suggested, or otherwise rendered obvious by any combination of Ogino, Shizu, and Rigmaiden.

Ogino is directed to a communication system in which a user is notified of an abnormal condition occurring in a vehicle, and in which a response center may cause an alarm or continuous panic state to be activated or deactivated off based on transmitted sounds from inside the vehicle in connection with the detected abnormal condition (Col. 4, Lines 37-52).

Rigmaiden is directed to a vehicle security and monitoring system in which a video signal from inside the vehicle may be transmitted to a user without triggering an alarm such that the user may monitor the interior of the vehicle as desired (Col. 6, Lines 23-29).

Shizu is directed to a lock control system in which a cellular phone can instruct a lock control apparatus to lock/unlock electronic lock apparatus based on an acquired certification code (Abstract).

Applicants note that any combination of Ogino, Rigmaiden, and Shizu would, at best, teach that an alarm or continuous panic state may be activated or deactivated in accordance with an acquired certification code received from a user/response center. However, any combination of Ogino, Rigmaiden, and Shizu fails to teach that a received second electronic key must match a generated first electronic key in order to change a warning mode to a normal mode.

In contrast to Ogino, Rigmaiden, and Shizu, claim 1 requires that a received second electronic key must match a generated first electronic key in order to change a warning mode to a normal mode.

In particular, claim 1 recites: (A) that an object control device includes (i) a mode setting unit operable to set a warning mode on receipt of a warning mode instruction, (ii) an electronic key generating unit operable to generate a first electronic key on receipt of the warning mode instruction, and (iii) a judging unit operable to judge whether the first electronic key generated by the electronic key generating unit and a received second electronic key match; and (B) that the mode setting unit changes, when the first electronic key and the second electronic key match, from the warning mode to a normal mode.

In view of the above, Applicants respectfully submit that the above-noted features of claim 1 are not disclosed, suggested, or otherwise rendered obvious by any combination of Ogino, Rigmaiden, and Shizu. Therefore, claim 1 is patentable over any combination of Ogino, Rigmaiden, and Shizu.

Additionally, Applicants note that by providing the above-noted features of claim 1, the presently claimed invention is able to provide the advantageous effect of allowing the change from the warning mode to the normal mode only when an authorized request is received. In contrast, it is noted that by failing to teach that a received second electronic key must match a generated first electronic key in order to change a warning mode to a normal mode, the combination of Ogino, Rigmaiden, and Shizu fails to achieve the same advantageous effect, i.e., the combination of the prior art fails to teach that a change from a warning mode to a normal mode may only occur when there is an authorized request.

Claims 3-6 are patentable over any combination of Ogino, Rigmaiden, and Shizu based at least on their dependency from claim 1.

Claim 7 recites a mode setting unit operable to set a warning mode on receipt of a warning mode instruction; an electronic key generating unit operable to generate a first

electronic key; a judging unit operable to judge whether the first electronic key generated by the electronic key generating unit and the received second electronic key match; and that the mode setting unit changes, when the first electronic key and a second electronic key match, from the warning mode to the normal mode. Applicants respectfully submit that any combination of Ogino, Rigmaiden, and Shizu fails to disclose, suggest, or otherwise render obvious the above-noted features of claim 7 for reasons similar to those discussed above with respect to claim 1. Therefore, claim 7 is patentable over any combination of Ogino, Rigmaiden, and Shizu.

Claims 8-15 are patentable over any combination of Ogino, Rigmaiden, and Shizu based at least on their dependency from claim 7.

Claim 16 recites: (A) that an object control device includes (i) a mode setting unit operable to set a warning mode on receipt of a warning mode instruction; (ii) an electronic key generating unit operable to generate a first electronic key on receipt of the warning mode instruction; (iii) a judging unit operable to judge whether the first electronic key generated by the electronic key generating unit and a received second electronic key match; and (B) that the mode setting unit changes, when the first electronic key and the second electronic key match, from the warning mode to the normal mode. Applicants respectfully submit that any combination of Ogino, Rigmaiden, and Shizu fails to disclose, suggest, or otherwise render obvious the above-noted features of claim 16 for reasons similar to those discussed above with respect to claim 1. Therefore, claim 16 is patentable over any combination of Ogino, Rigmaiden, and Shizu.

Claims 22 and 23 recite receiving a warning mode instruction indicating to set a warning mode; generating a first electronic key; judging whether the generated first electronic key generated and a received second electronic key match; and changing, when the first electronic key and the second electronic key match, from the warning mode to a normal mode. Applicants respectfully submit that any combination of Ogino, Rigmaiden, and Shizu fails to disclose, suggest, or otherwise render obvious the above-noted features of claims 22 and 23 for reasons similar to those discussed above with respect to claim 1. Therefore, claims 22 and 23 are patentable over any combination of Ogino, Rigmaiden, and Shizu.

### **III. New Claims 26-38**

Claim 26 recites that a vehicle control device includes: (A) a vehicle control unit operable to disable or enable operations of a door and an engine included in a vehicle; and (B) a second control unit operable, (i) when a vehicle disabling request is received from a mobile telephone, to generate first enabling information, to write the generated first enabling information in a second information storage unit, to transmit the first enabling information to the mobile telephone, and to instruct the vehicle control unit to disable the operations of the door and the engine included in the vehicle, and (ii) when second enabling information is received from the mobile telephone, to read the first enabling information from the second information storage unit, to compare the read first enabling information and the received second enabling information, and when the read first enabling information and the received second enabling information match, to instruct the vehicle control unit to enable the operations of the door and the engine included in the vehicle.

Applicants respectfully submit that any combination of Ogino, Rigmaiden, and Shizu fails to disclose, suggest, or otherwise render obvious the above-noted features of new claim 26 for reasons similar to those discussed above with respect to claim 1. Therefore, claim 26 is patentable over any combination of Ogino, Rigmaiden, and Shizu.

Claim 27 recites: (A) a vehicle control unit operable to disable or enable operations of a door and an engine included in a vehicle; and (B) a control unit operable, (i) when a vehicle disabling request is received from a mobile telephone, to generate first enabling information, to write the generated first enabling information in a second information storage unit, to transmit the first enabling information to the mobile telephone, and to instruct the vehicle control unit to disable the operations of the door and the engine included in the vehicle, and (ii) when second enabling information is received from the mobile telephone, to read the first enabling information from the second information storage unit, to compare the read first enabling information and the received second enabling information, and when the read first enabling information and the received second enabling information match, to instruct the vehicle control unit to enable the operations of the door and the engine included in the vehicle. Applicants respectfully submit that any combination of Ogino, Rigmaiden, and Shizu fails to disclose, suggest, or otherwise render obvious the above-noted features of new claim 27 for reasons

similar to those discussed above with respect to claim 1. Therefore, claim 27 is patentable over any combination of Ogino, Rigmaiden, and Shizu.

Claims 28 and 29 recite: (A) disabling, when a vehicle disabling request is received from a mobile telephone, operations of a door and an engine included in a vehicle, wherein the disabling the operations of the door and the engine included in a vehicle includes (i) generating first enabling information, (ii) writing the generated first enabling information in a second information storage unit, (iii) transmitting the first enabling information to the mobile telephone, and (iv) disabling the operations of the door and the engine included in the vehicle; and (B) enabling, when second enabling information is received from the mobile telephone, the operations of the door and the engine included in the vehicle, wherein the enabling the operations of the door and the engine included in a vehicle includes (i) reading the first enabling information from the second information storage unit, (ii) comparing the read first enabling information and the received second enabling information, and (iii) when the read first enabling information and the received second enabling information match, enabling the operations of the door and the engine included in the vehicle. Applicants respectfully submit that any combination of Ogino, Rigmaiden, and Shizu fails to disclose, suggest, or otherwise render obvious the above-noted features of new claims 28 and 29 for reasons similar to those discussed above with respect to claim 1. Therefore, claims 28 and 29 are patentable over any combination of Ogino, Rigmaiden, and Shizu.

Claim 30 recites a mode setting unit operable to set a warning mode on receipt of a warning mode instruction; an electronic key generating unit operable to generate a first electronic key; a judging unit operable to judge whether the first electronic key generated by the electronic key generating unit and the received second electronic key match; and that the mode setting unit changes, when the first electronic key and a second electronic key match, from the warning mode to the normal mode. Applicants respectfully submit that any combination of Ogino, Rigmaiden, and Shizu fails to disclose, suggest, or otherwise render obvious the above-noted features of claim 30 for reasons similar to those discussed above with respect to claim 1. Therefore, claim 30 is patentable over any combination of Ogino, Rigmaiden, and Shizu.

Claims 31-38 are patentable over any combination of Ogino, Rigmaiden, and Shizu based at least on their dependency from claim 30.

#### **IV. Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1, 3-16, 22, 23, and 26-38 are clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner believes that there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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